

**CITY OF NEWBERG CITY COUNCIL MINUTES
OCTOBER 4, 2010
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM
401 EAST THIRD STREET**

Work Session was held prior to the meeting. A discussion was held on the Council Rules and Guidelines. No decisions were made.

I. CALL MEETING TO ORDER

Mayor Bob Andrews called the meeting to order at 7:08 PM.

II. ROLL CALL

Members

Present:	Mayor Bob Andrews	Denise Bacon	Ryan Howard
	Stephen McKinney	Bart Rierson	Marc Shelton
	Wade Witherspoon		

Staff

Present:	Daniel Danicic, City Manager	Terrence Mahr, City Attorney
	Barton Brierley, Planning and Building Director	Steve Olson, Associate Planner
	Chris Bolek, Police Captain	Norma Alley, City Recorder
		Jennifer Nelson, Recording Secretary

Others

Present: Jackie Lang, Rob Cornilles, Scott Cassidy, and Robert Soppe

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

Mr. Daniel Danicic, City Manager, spoke of the success of the recent drug take-back event held on September 25, 2010; one hundred sixty-six (166) people attended and three hundred and fourteen (314) pounds of medications were collected instead of flushed into the waste water system and river. On September 18, 2010, the fire department visited the Nut Tree Ranch Mobile Home Park on 2nd Street; of the one hundred and fourteen (114) residents visited, eighty-four (84) residents had working smoke detectors, nineteen (19) new ones were installed, and eighteen (18) batteries replaced. Portland Community College (PCC) announced their groundbreaking ceremony will be held on October 13, 2010, from 4:00-6:00 PM; he asked those attending to RSVP to the city recorder this week. PCC's goal is to be occupying the new location by the 2011 school year. He reminded everyone the City County Dinner in Carlton will be this coming Thursday, October 7, 2010. He spoke of the Mid-Willamette Valley City of Governments (MWVCOG) monthly City Manager's lunch that Newberg will be hosting this Friday, October 8, 2010, at the Chehalem Valley Cultural Center. The City also received two awards from the City County Insurance Services at the League of Oregon Cities (LOC) Conference this year; the silver award for safety and the gold award for our wellness program.

Mayor Andrews added PCC enrollment for the 2010-11 school year is at approximately three hundred (300) students; they are operating out of the Cultural Center and Newberg Library Annex.

V. PUBLIC COMMENTS

Ms. Jackie Lang, Communications Director for Waste Management, congratulated the City on a successful drug take-back event and gave updates on the landfill expansion process which was approved by the County after extensive community wide discussions, but they are currently appealing the Land Use Board of Appeals' (LUBA) decision to stop the expansion and a decision is expected by February 2011. She passed out a brochure on sustainable living and spoke of efforts with renewable energy.

Mr. Rob Cornilles, Candidate for the 1st Congressional District, introduced himself and shared some background information with Council. He spoke of his appreciation for the efforts and sacrifices of local officials and his desire to have a working knowledge of what is needed to make communities proper. He mentioned his concerns for Oregon's unemployment and passed out palm cards.

VI. CONSENT CALENDAR

1. Consider a motion approving a **proclamation** declaring October, 2010, as Domestic Violence Awareness Month.
2. Consider a motion approving a **proclamation** declaring October, 2010, as Archives Month.
3. Consider a motion approving **City Council Minutes** for August 16, 2010, and September 7, 2010.

MOTION: Shelton/McKinney approving the Consent Calendar including a **proclamation** declaring October, 2010, as Domestic Violence Awareness Month, a **proclamation** declaring October, 2010, as Archives Month, and the City Council Minutes for August 16, 2010, and July 6, 2010. (7 Yes/0 No) Motion carried.

VII. PUBLIC HEARING

Consider a motion adopting **Ordinance No. 2010-2731** amending the Development Code pertaining to electronic signs.

TIME – 7:25 PM

Mayor Andrews called for any conflicts of interest or abstentions; none appeared.

Mr. Barton Brierley, Planning and Building Director, presented the staff report with assistance of a PowerPoint and recommended adoption (see official meeting record for full report).

Councilor Ryan Howard asked staff for the distinction between animated messages and video messages and expressed concerns for any of this in a residential area. Staff replied if a clip is over ten seconds, then it counts as an extended video message.

Mayor Andrews opened the public testimony.

Mr. Scott Cassidy, Operating Manager of A Storage Place, thanked staff and committee members for the time contributed to developing a workable ordinance. He spoke of the benefits of using electronic signage to keep the business community interesting, share important messages, and as a useful business tool during the economic downturn. He urged the Council to move forward on this.

Mr. Robert Soppe expressed some clarifications, questions, and concerns about the electronic sign code amendments and submitted written testimony (see official meeting packet for full report); some points addressed orally included how large the animated portions of a sign would be if two businesses were using one sign, distinctions between message repeat times, having multiple signs, the qualification of being larger than 40%, the appearance of flashing with light-emitting diode (LED) lights, and if some of this being the wrong character for our town. He also expressed disappointment with the late publishing of the agenda and limited time for the submission of written public comments.

MOTION: Rierson/Shelton to accept the written testimony received and a moment to review it. (7 Yes/0 No)
Motion carried.

Mayor Andrews recessed at 8:01 PM to provide Council time to review the written material submitted to record and reconvened at 8:05 PM. He closed the public testimony and staff recommended adoption.

Councilor Wade Witherspoon asked staff to address the issue of sign animation and percentage. He wondered what the reason is behind encouraging a larger percentage. Staff said the committee based this on the potential for attractiveness of sign and recommended points be given for using more, rather than less for purposes of flexibility and usefulness.

Councilor Marc Shelton asked for further discussion on the presence of these signs in neighborhoods and different zones. Staff replied that signs in residential zones were intended for use by churches and schools that can benefit from this kind of signage to communicate a lot of info to parents or advertising events. There was a desire for more restrictions in a residential zone than in a commercial area with property line setbacks and being shut off at night. They did some experimenting in residential areas during the pilot program and feedback from the homes did not indicate any concerns, but this limit still provides protection for a residential area.

Councilor Stephen McKinney spoke of sign technology changing so rapidly and the present devices in Newberg being out of date. He added that current manufacturers are including devices such as automatic shut off and timing limits. He continued by stating the current document was so quantifying it was difficult for business owners to use the signage appropriately.

Mayor Andrews closed the public hearing.

Discussion followed about the issue of adequate notification and the need to give council members appropriate time to review the proposed material.

MOTION: Andrews/Shelton to postpone the deliberations to October 18, 2010. (7 Yes/0 No) Motion carried.

Mayor Andrews recessed at 8:20 PM.

VIII. COUNCIL BUSINESS

1. Presentation of an Eagle Scout Project for the City.

Mr. Brierley presented a slideshow of pictures taken of Newberg for use by the City as an Eagle Scout project.

2. Update and Discussion on the UGB/URA process and status.

Mr. Brierley presented a report with a PowerPoint including background and updates of the visioning process for Newberg and its relation to the current Urban Growth Boundary (UGB) and Urban Reserve Area (URA)

process and appeals. A rough timeline of upcoming Council items was given along with background on the goals and guidelines originally established and adopted concerning the UBG/URA by the ad hoc committee.

Mayor Andrews asked staff for an update on Comcast and the idea of video streaming on the public, education, and government (PEG) channel. Discussions occurred about the previously proposed idea to create a slideshow vs. the new concept of video streaming live broadcasts and the limitations of available funds dedicated for this. Concerns were also expressed for the current commitments with the access channel project on the internet and the some discomfort with spending additional dollars from this fund when more important things need to be done.

Mayor Andrews also brought to attention a concern from Mr. Jim Keller and the Chehalem Mobile Park and their requirement to pay for full storm water fees when they have their own system which does not contribute to the City's. He spoke of requesting the Citizens' Rate Review Committee (CRRC) considering the creation of a stormwater rate system to mitigate for non-contributors.

MOTION: Shelton/Rierson to move the concerns of Mr. Keller to the CRRC for consideration and recommendation. (7 Yes/0 No) Motion carried.

Councilor Rierson added that staff should recommend to the CRRC, if they consider a separate rate structuring to specify future maintenance should be spelled out in an agreement.

MOTION: Andrews/Howard to reconsider the Visitor Center funding decision from the previous meeting.

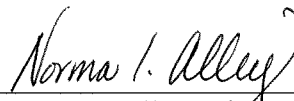
Discussions followed about not wanting to bind a future council to a fixed percentage of the Transient Room Tax (TRT) although current funding is insufficient. There were concerns for not wishing to fund 100% of the Visitor Center which may occur sometime in the future if 25% of the TRT is allocated to them by a five year contract. Most seemed to agree with passing a motion to fund the Visitor Center at \$56,000.00 for this year without the 25% of the TRT allocation in order to allow time to come up with a better solution by contract. Several councilors did not believe a request for reconsideration was appropriate without the Chamber of Commerce being present and aware of the possibility; others wondered if this could all be dealt with during the scope of work and conditions of the contract being developed, rather than reconsidering the decision.

MOTION: Witherspoon/Shelton to table the motion to reconsider the Visitor Center funding decision until the City Manager and City Attorney can meet with the Chamber of Commerce and report back with a draft contract and scope of work. (6 Yes/1 No [Howard]) Motion carried.


IX. ADJOURNMENT

The meeting adjourned at 10:27 PM.

ADOPTED by the Newberg City Council this 1st day of November, 2010.


Norma I. Alley, City Recorder

ATTEST by the Mayor this 4th day of November, 2010.


Bob Andrews, Mayor